



Order Filed on June 22, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT District of New Jersey
Caption in Compliance with D.N.J. LBR 9004-1(b) Albert Russo CN 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re: Nicholas Avicolli

Case No.: 18-11349 / CMG

Chapter: 13

Hearing Date: June 20, 2018

Judge: Christine M. Gravelle

CHAPTER 13 STANDING TRUSTEE PRE-CONFIRMATION ORDER OF DISMISSAL

The relief set forth on the following page is **ORDERED**.

DATED: June 22, 2018



Honorable Christine M. Gravelle
United States Bankruptcy Judge

The Court having determined that dismissal of this case is appropriate, it is hereby

ORDERED that the debtor's case is dismissed for:

- failure to make all required pre-confirmation payments to the Trustee
- failure to resolve Trustee and/or creditor objection
- Case is not feasible.

and it is further

ORDERED that:

Pursuant to 11 U.S.C. § 349(b), this court for cause retains jurisdiction over any application filed within 14 days of the date of this order by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

The Chapter 13 Standing Trustee may pay the balance of the standard attorney fees to the debtor's counsel in the amount of \$1,893.36 from available funds on hand received prior to dismissal.

Any funds held by the Chapter 13 Standing Trustee from payments made on account of the debtor's plan shall be disbursed to the debtor, less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan, or by Court order.

Any *Order to Employer to Pay the Chapter 13 Trustee* that has been entered in this case is vacated, and the employer is ordered to cease wage withholding immediately.

All outstanding fees due to the Court are due and owing and must be paid within 7 days of the date of this order.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Nicholas Avicolli
Debtor

Case No. 18-11349-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 24, 2018.

db Nicholas Avicolli, 985 Papen Rd, Bridgewater, NJ 08807-1358

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 24, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 22, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Brian E Caine on behalf of Creditor THE BANK OF NEW YORK MELLON, Et Al...
bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
David E. Shaver on behalf of Debtor Nicholas Avicolli dshaver@bnfsbankruptcy.com
Deborah T. Feldstein on behalf of Creditor Fwds1 & Associates LP dfeldstein@caplaw.net
Denise E. Carlon on behalf of Creditor The Bank of New York Mellon fka The Bank of New York,
as Trustee, et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Rebecca Ann Solarz on behalf of Creditor The Bank of New York Mellon fka The Bank of New York,
as Trustee, et al... rsolarz@kmlawgroup.com
Steven J. Abelson on behalf of Creditor Mathew Property Inc./Ned Moftah sjaesq@atrbklaw.com,
atrbkl@gmail.com;r49787@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8